



Atty. Dkt. No. 081583-0281

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Baydo et al.

Title: FOOD GRADE COLORED FLUIDS  
FOR PRINTING ON EDIBLE  
SUBSTRATES

Appl. No.: 10/601,064

Filing Date: 06/20/2003

Examiner: Unknown

Art Unit: 1761

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.

Michelle Manning

(Printed Name)

(Signature)

October 9, 2003

(Date of Deposit)

Mail Stop Missing Parts  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350.

Respectfully submitted,

Date October 9, 2003

FOLEY & LARDNER  
Customer Number  
**23524**

PATENT TRADEMARK OFFICE

Telephone: (608) 258-4305  
Facsimile: (608) 258-4258

By Michelle J. Manning

Michelle Manning  
Attorney for Applicant  
Registration No. 50,592

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO			
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>			
OCT 14 2003 Date submitted: October 7, 2003			
(use as many sheets as necessary)			
SERIALIZED SEARCHED INDEXED MAILED	1	of	2
<b>Complete if Known</b>			
<b>Application Number</b>		10/601,064	
<b>Filing Date</b>		06/20/2003	
<b>First Named Inventor</b>		Robert A. Baydo	
<b>Group Art Unit</b>		1761	
<b>Examiner Name</b>			
<b>Attorney Docket Number</b>		081583-0281	

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
A1	2001/0038871			Nardi	11/08/2001	
A2	2001/0046535			Bowling	11/29/2001	
A3	2002/0008751			Spurgeon et al.	01/24/2002	
A4	2002/0034475			Ribi	03/21/2002	
A5	2002/0078858			Chen et al.	06/27/2002	
A6	2002/0114878			Ben-Yoseph et al.	08/22/2002	
A7	2002/0135651			Spurgeon et al.	09/26/2002	
A8	4,168,662			Fell	09/25/1979	
A9	4,239,543			Beasley	12/16/1980	
A10	4,421,559			Owatari	12/20/1983	
A11	4,548,825			Voss et al.	10/22/1985	
A12	4,601,756			Chiba et al.	07/22/1986	
A13	4,620,876			Fujii et al.	11/04/1986	
A14	4,694,302			Hackleman et al.	09/15/1987	
A15	4,761,180			Askeland et al.	08/02/1988	
A16	4,781,758			Gendler et al.	11/01/1988	
A17	4,791,165			Bearss et al.	12/13/1988	
A18	4,810,292			Palmer et al.	03/07/1989	
A19	4,853,037			Johnson et al.	08/01/1989	
A20	5,006,362			Hilborn	04/09/1991	
A21	5,091,004			Tabayashi et al.	02/25/1992	
A22	5,112,399			Slevin et al.	05/12/1992	
A23	5,125,969			Kleid et al.	10/06/1992	
A24	5,156,675			Breton et al.	10/20/1992	
A25	5,221,332			Kohlmeier	06/22/1993	
A26	5,435,840			Hilborn	07/25/1995	
A27	5,466,287			Lyon	11/14/1995	
A28	5,522,922			Furusawa et al.	06/04/1996	
A29	5,531,818			Lin et al.	07/02/1996	
A30	5,580,372			Gino et al.	12/03/1996	
A31	5,601,639			Myers et al.	02/11/1997	
A32	5,624,485			Calhoun	04/29/1997	
A33	5,667,569			Fujioka	09/16/1997	
A34	5,800,601			Zou et al.	09/01/1998	
A35	5,961,703			Fraas	10/05/1999	
A36	6,020,397			Matzinger	02/01/2000	
A37	6,058,843			Young	05/09/2000	
A38	6,231,654			Elwakil	05/15/2001	
A39	6,576,347			Gomez Portela	06/10/2003	

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<p style="text-align: center;">Substitute for form 1449B/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p>Date Submitted: October 7, 2003</p> <p>(use as many sheets as necessary)</p>			
		<b>Complete if Known</b>	
<b>Application Number</b>		10/601,064	
<b>Filing Date</b>		06/20/2003	
<b>First Named Inventor</b>		Robert A. Baydo	
Group Art Unit		1761	
Examiner Name			
Sheet	2	of	2
		Attorney Docket Number	
		081583-0281	

## **U.S. PATENT DOCUMENTS**

		<b>U.S. Patent Document</b>			

## FOREIGN PATENT DOCUMENTS

## **NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.